

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

GARY ALLEN ROSS,

Plaintiff,

v.

PENTAIR, et al.,

Defendants.

Case No. 18-2631-CM-JPO

ORDER

Pro se plaintiff Gary Allen Ross brings this employment-discrimination action against his employer and union. He moved to proceed with this action in forma pauperis. (Doc. 3.) On November 27, 2018, Magistrate Judge James P. O'Hara recommended that plaintiff's motion be denied. (Doc. 6.) Plaintiff failed to timely object to the Report and Recommendation. The court has reviewed the Report and Recommendation, and agrees with Judge O'Hara that plaintiff's request should be denied because plaintiff has not shown that he has a financial inability to pay the required filing fees. The court further agrees with Judge O'Hara's suggestion that the fee be paid in three equal monthly installments. The court **ADOPTS** the Report and Recommendation (Doc. 6) in full, and denies plaintiff's motion to proceed in forma pauperis (Doc. 3).

IT IS THEREFORE ORDERED that the Report and Recommendation of Judge O'Hara (Doc. 6) is adopted in full. Plaintiff's motion to proceed in forma pauperis (Doc. 3) is denied. Plaintiff is directed to make his first monthly installment of \$133.34 on the filing fee on or before January 2, 2019. He then must make the two remaining payments of \$133.33 each on or before February 1, 2019 and March 1, 2019. If plaintiff misses the first payment or any subsequent payments, his complaint will be subject to dismissal.

Dated this 19th day of December, 2018, at Kansas City, Kansas.

s/ Carlos Murguia
CARLOS MURGUIA
United States District Judge